

*Firpi v. Hansman (In re Hansman)*

Case No. 16-1093-LMI

The Plaintiff incurred \$4,000 in professional fees as a court appointed evaluator of the Debtor's child in a divorce proceeding. Furthermore, the Plaintiff incurred another \$2,430 in an attempt to collect those fees. The Plaintiff argued that the fees were excepted from discharge pursuant to section 523(a)(5) because the debt was in the nature of or related to child support and constituted a domestic support obligation; or the debt was excepted under section 523(a)(15) because it was incurred in connection with issues raised by the Debtor in the dissolution of marriage proceeding and related to welfare, custody, and support a minor child. The Court held that section 523(a)(5) and 523(a)(15) only applied to third party claim holders when a third party debt was one that (a) the non-debtor former spouse or spouse is responsible for if the debtor fails to pay and (b) is an obligation imposed based on relative financial positions of the parties.